

City Council Special and Regular Meetings, June 27, 2000

Twin Pines Senior and Community Center, 1223 Ralston Avenue

**SPECIAL MEETING: 6:15 P.M.**

**CLOSED SESSIONS**

A. Conference with Labor Negotiator, pursuant to Government Code Section 54957.8:

1. BPOA

B. Conference with Legal Counsel, anticipated litigation, pursuant to Government Code Section 54956.9:

1. Two Cases

Attended by Councilmembers Warden, Hahn, Rianda, Cook, (Wright abs). City Attorney Savaree and Acting City Manager Mittelstadt. Ms. Finney IEDA, Acting Assistant to City Manager Bridges and Police Chief Goulart attended Closed Session A-1.

Adjournment at this time, being 7:00 P.M., these Closed Sessions were adjourned.

Meeting not tape recorded

Kathy Kern

Belmont City Clerk

**REGULAR MEETING – 8:20 P.M.**

**ROLL CALL**

COUNCILMEMBERS PRESENT: Warden, Hahn, Rianda, Cook

COUNCILMEMBERS ABSENT: Wright

Staff Present: Acting City Manager Mittelstadt, Public Works Director Curtis, Interim Community Development Director Macris, Finance Director Fil, Police Chief Goulart, Technology Specialist Harnish, City Attorney Savaree, City Clerk Kern

**REPORT FROM CLOSED SESSION**

Mayor Cook announced that direction was given, but no action taken.

**PUBLIC/COUNCIL COMMENTS**

**D. Lawhern**, 408 Hiller Street, requested information regarding what action was being taken against the business at 325 Old County Road. He said the property was a mess and had been that way since October, 1998.

He requested a staff report on any action being taken against the owner to clean up the property. He also reported a landscaping business at 530 Old County Road, that had taken over the public right of way and was becoming an eyesore. He said he would like to have this business cleaned up. He said Old County Road was becoming an eyesore again.

City Attorney Savaree reported that Barber Construction at 325 Old County Road had submitted an application for their project to be heard at the Planning Commission meeting on August 1<sup>st</sup>. She said she had a court date set for August 10<sup>th</sup> and it was her hope that they would have a project with appropriate conditions in place by then.

**Mr. Moreno**, 1624 Fairway Drive, expressed concern about the notification process used for the two special meetings that were held for the homeowners to discuss the new sewer rates. He said he did not think putting a sign on the fence at Twin Pines Park was adequate.

Finance Director Fil explained that in addition to this sign, an ad had been run in the Independent and San Mateo County Times newspapers, and the notice was on the website. He said both meetings had low attendance. Finance Director Fil noted that the public hearing would be held on July 11<sup>th</sup> and anyone who had an interest or concern could come to that meeting. He provided the hot line phone number– 650-637.7934 for information

In answer to C. Rianda, Finance Director Fil stated that it would cost about \$5,000 to send notices to every homeowner.

City Attorney Savaree stated that Council could provide direction to staff regarding this item now.

C. Rianda made a motion to send a notice to every homeowner for the July 11<sup>th</sup> meeting. There was no second to this motion.

C. Cook informed the Council that there would be two events at the local library in the next two weeks: to introduce the new Harry Potter children's book, and a sing-a-long the week of July 24<sup>th</sup>.

## **CONSENT CALENDAR**

**Approval of meeting minutes:** Special and Regular Meetings for June 13, 2000.

**Approval of Warrant Lists** Dated: June 5, 2000 in total amount of \$1,178,796.74 and June 9, 2000 in total amount of \$146,325.64.

**Written Communication** 1). Rec. 5/14/00 applic. of G.D. Banga for airport services, before the PUC 2). Rec. 5/15/00 application of M.S. Gill for airport service, before the PUC; 3). Rec. 5/19/00 before the FCC Opposition to complaint for Carriage, KMTP Channel 32, CSR5524-M.

**Motion** to approve Claims Management Report.

**Motion** to waive reading of Ordinance.

**Resolution No. 8777** approving Phase 2 of the Belmont and City of San Carlos Joint Radio Base Station, Radio Building Upgrade and Replacement of the Department of Public Works Base Radio Station

**Resolution No. 8778** amendment # 6 to the Professional Service Agreement in the amount of \$83,599 with approving Parsons Brinckerhoff, Quade and Douglas for design for design support of the Ralston/Harbor/Holly Grade Separation Project.

**Resolution No. 8779** adopting Appropriations Limit FY 2001.

**Resolution No. 8780** approving General Obligation Tax Rate FY 2001.

**Resolution No. 8781** approving Agreement for Animal Control Services between the City of Belmont and the county of San Mateo for FY 2000, 2001, and 2002.

**Resolution No. 8782** approving appointments of Mr. Oswald and Mr. Lieberman to the Finance Commission for terms to end in March, 2003.

Consent Calendar adopted. Moved by C. Warden, seconded by C. Hahn and approved unanimously, by show of hands, with C. Wright absent.

### **PUBLIC/HEARINGS**

#### **Reconvene Belmont Fire Protection District and Redevelopment Agency Meetings to Continued Public Hearings to consider proposed budget Fiscal Year 2000/2001.**

Finance Director Fil explained that these were continued public hearings for the budgets. He said that the community funding had been added to the Redevelopment and Regular budget based on Council direction at the last meeting. He reported that the Finance Commission recommended adoption of the budget. He noted that the FY2001 budget was balanced.

### **FUNDING FOR COMMUNITY ORGANIZATIONS**

C. Hahn stated that she would like to request one time funding for the San Mateo Historical Society Museum in the amount of \$6,000 which would finish the exhibits at the Museum.

**Action:** on motion by C. Hahn, seconded by C. Rianda, and approved 3-1, by show of hands, (Warden, no, Wright abs.), to contribute \$6,000 to the San Mateo County Historical Society Museum.

C. Hahn made a motion to fund the San Mateo Visitors and Convention Bureau in the amount of \$10,000. This motion was seconded by C. Rianda.

C. Cook stated that she would not support funding the Bureau this year.

C. Rianda said that the Visitors and Convention Bureau may help to get our local Chamber of Commerce on its feet. She said she would like to give them a vote of confidence.

**Action:** on motion by C. Hahn, seconded by C. Rianda, to fund the San Mateo Visitors and Convention Bureau in the amount of \$10,000. This motion failed on a 2-2 vote, (C. Wright abs.).

**Action:** on motion by C. Warden, seconded by C. Rianda, and approved on a vote of 3-1 by show of hands, (Cook, no, Wright absent) to fund the San Mateo Visitors and Convention Bureau in the amount of \$7,500.

### **GENERAL PLAN UPDATE**

C. Rianda stated that she would like to delay the General Plan update until new staff was hired. She said she agreed that the Housing Element should be completed, to comply with the law.

Finance Director Fil stated that \$75, 000 had been allocated in the budget for Advanced Planning. He said \$100,000 had been allocated for the Housing Element in the Low/Moderate Income Fund.

C. Hahn stated that she would like to review the binder of projects with the City Manager before going forward with the General Plan Update. She said she was supportive of going forward with the Housing Element now.

C. Rianda made a motion, seconded by C. Hahn to delay the General Plan update at this time.

C. Warden stated that he would be in favor of leaving the funding as a place holder until the projects had been prioritized.

Interim Community Development Director Macris stated that she would send out a notice to the applicants on the General Plan and let them know the General Plan Update was on hold for now. She said the law required that the General Plan be consistent and that would require that the Land Use and Transportation elements be updated, as well as the Housing Element. She said the General Plan should have high priority but agreed that the process should be slowed until a Planning Director was hired.

C. Cook expressed her concern about putting this General Plan Update off any longer. She said that staff had been making amendments to this plan over the past few years and it needed to be redone. C. Cook stated that time had been spent on recruiting applicants and the process should be started, so that when a new Director was hired the process could proceed. She said that the Council and staff should look at reprioritizing other projects to get the General Plan Update started.

C. Hahn stated that since the applicants had not been invited as yet, she thought the applicants could be invited to be interviewed after the Council had a chance to prioritize projects. She said she was in favor of keeping the funding in the budget.

C. Rianda said she would like to be sensitive to a new Planning Director, and would not like to begin a process that a new Director had not had a chance to work on.

Council concurred to leave the funding in the budget as a place holder and to advise the General Plan applicants that the interviews would be put off until the Council had a chance to prioritize projects.

#### FUNDING FOR TWIN PINES PARK

C. Rianda requested that \$50,000 be put into the reforestation of Twin Pines Park. She said she would like to have a comprehensive plan Master Plan for the Park.

Acting City Manager Mittelstadt suggested that no action be taken until a plan was completed.

He said he was not in favor of removing any trees at this time until an arborist had a chance to put a plan together at a cost of \$15,000.

C. Rianda made a motion, seconded by C. Hahn, to increase the funding to \$20,000.

Finance Director Fil explained that the extra \$15,000 would need to come from the unappropriated fund balance.

In response to C. Warden, Acting City Manager Mittelstadt stated that the \$320,000 funding from Proposition 12 was allocated for the Ralston Ranch Park.

C. Rianda clarified that her motion was to spend the money on a plan, and take no action in the park until the Master Plan had been developed.

Acting City Manager Mittelstadt explained that he planned to remove the eucalyptus and replace with native trees in their place. He said it would cost \$30,000-\$40,000 to remove the eucalyptus trees over the next few years.

In response to C. Cook, Acting City Manager Mittelstadt stated that the Commission was aware of the reforestation request. He said his staff could handle the Master Plan for the Park with a consultant. He said he thought \$15,000-\$20,000 was appropriate.

**Action:** on motion by C. Rianda, seconded by C. Hahn, and approved unanimously, 4-0, (Wright, abs.), to increase the funding to \$20,000 for a reforestation Master Plan for Twin Pines Park.

**Mr. Lawhern**, 408 Hiller Street, explained that after reviewing the budgets of the Redevelopment Agency over the last 20 years, he discovered projects that had never been completed. He said the commercial area along Old County Road deserved consideration for funding and he urged the Council to consider spending bond money for these long overdue projects on the East Side of El Camino Real.

In response to C. Cook, Finance Director Fil explained that a meeting would be held to prioritize the Bond proceeds projects after the proposals for the Village Center Block 4 proposals were submitted.

C. Rianda asked if some of the Bond proceeds could be set aside to do some of these projects that had been on hold for 20 years.

C. Hahn said she would like to have staff include this list of projects for consideration of bond funding.

C. Cook said that it would be advisable to look at the list again, because some of the projects may not need to be done now.

C. Warden stated that he was committed to spending some funding on this area.

**Action:** on motion by C. Rianda, seconded by C. Cook, and approved 4-0, by show of hands, with C. Wright, absent, to set aside \$1 million for projects in the original Los Costanos original proposal.

On motion by C. Rianda, seconded by C. Warden, and approved unanimously, (Wright, abs) to close the public hearing.

**Action:** on motion by C. Rianda, seconded by C. Warden, and approved 4-0 by show of hands, with C. Wright absent, to adopt:

**Resolution No. 8783** adopting the Proposed FY 2001 Revenue, Appropriations and Capital Improvement Program Budgets for the City of Belmont.

### **Recess**

Mayor Cook recessed the meeting at 9:35 P.M.

### **Reconvened**

The meeting was reconvened at 9:50 P.M..

### **Public Hearing to consider adoption of New Master Fee Schedule**

Finance Director Fil stated that these fees would go into effect on July 1<sup>st</sup>, and included the Park facility fees. He requested that the three minor adjustments that had been discussed during Study Session be included in the motion to adopt.

In response to C. Cook, Finance Director Fil stated that a fee was charged for crime reports, but Council could decide to waive this fee for the victims of crimes. He stated that our fees were consistent with fees charged in our neighboring cities.

Mayor Cook opened the Public Hearing.

On motion by C. Warden, seconded by C. Rianda, and approved unanimously, with C. Wright absent to close the public hearing.

**Action:** on motion by C. Warden, seconded by C. Hahn, and approved unanimously, with C. Wright absent to adopt:

### **Resolution No. 8784 – New Master Fee Schedule**

Council concurred with these amendments: Page 2, eliminate \$20.00 charge for crime and accident reports – use \$1.00 per page charge; crime victim would not be charged for reports to be copied the first time. Page 15, number 5, encroachment permit charge remains \$155.00 base + \$87.000 per hour for a maximum of \$500.00

### **OLD BUSINESS**

#### **Consideration of extending application deadline for City Commissions**

City Clerk Kern requested direction regarding extending the application deadline for Commissions.

Council concurred to extend deadline and decided they would wait to interview all candidates at the same time.

**Action:** on motion by C. Warden, seconded by C. Rianda, and approved unanimously, with C. Wright absent to extend deadline to August 4<sup>th</sup>.

#### **Consideration of accepting applications for the General Plan Update Team.**

City Clerk Kern requested direction from Council on whether they would accept these two applications.

**Mr. Bauer**, 1027 Tahoe Drive, stated that by the time the General Plan update team was interviewed new Community Development Director would be on board and this task force could move forward. He stated he did not have any knowledge about the General Plan, but was looking forward to the process. He said he would endorse putting Ms. Della Santina on the task force.

**Mr. Kranen**, 1027 Notre Dame, asked when the interviews would be held.

**Action:** on motion by C. Warden, seconded by C. Cook, and approved 4-0, (Wright abs.) to accept the two applications if Ms. Della Santina submitted her application before the interview process.

C. Hahn clarified that the General Plan update team interviews would not be held on July 18<sup>th</sup>. The Council would review the projects that needed to be prioritized first.

## **NEW BUSINESS –**

### **Consideration of Introduction of Ordinance amending Chapter 15, Article IV, sale of Drug Paraphernalia to Minors and Solicitation of Alcoholic Beverage Purchase. (First reading).**

Police Chief Goulart explained that the focus of this ordinance was to prohibit the purchase of alcohol by minors. He said this was an ongoing concern in Belmont and this tool would help address the problem for store owners and police officers. He noted that City Attorney Savaree had recommended wording changes as it related to narcotic and drug paraphernalia.

**Action:** on motion by C. Rianda, seconded by C. Warden, and approved by show of hands, with C. Wright absent, to introduce ordinance by title:

Ordinance amending Chapter 15, Article IV, sale of Drug Paraphernalia to

Minors and Solicitation of Alcoholic Beverage Purchase. Waive further reading, continue to July 11, 2000 for second reading and adoption.

## **BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS**

### **Report on El Camino Real Paving Project.**

Public Works Director Curtis reported that paving on El Camino Real would be done from 9:00 P.M. until 7:00 A.M. Sunday through Thursday starting on July 9, 2000. He said the job should be completed in five weeks.

### **Traffic Calming Committee Update.**

Public Works Director Curtis stated that a Traffic Calming program had been developed and would be discussed at the Planning Commission Meeting on July 18<sup>th</sup>. He noted that he would bring this program to Council after that meeting.

### **Direct Access/Highway 101 Update.**

Public Works Director Curtis reported that the Initial Study Environmental Assessment had been drafted and they were on schedule to complete the design work. He noted that an important part of the approval process was to hold information presentations regarding the Direct Access project, and he had held four meetings so far.

## **MATTERS OF COUNCIL INTEREST/CLARIFICATION**

### **Consideration of shuttle bus service in Belmont. (Rianda)**

C. Rianda requested Council concurrence to have staff speak with SamTrans regarding bus service in the Western Hills, the possibility of restoring bus service along Ralston Avenue, or other alternatives, to remedy the lack of service in the community.

**Mr. Kranen**, 1902 Notre Dame Avenue, supported this suggestion and stated that shuttles would be a good alternative to using the larger buses on the narrow streets.

**Mr. Bauer**, 1027 Tahoe Drive, spoke in favor of this suggestion.

C. Cook suggested speaking to the school district to see if they had an interest in joining these discussions regarding service.

Council concurred to have staff engage in conversations with SamTrans regarding better bus service.

**Discussion and direction regarding timeframe involved in General Plan update process.(Hahn)**

This item was discussed during the budget. It was decided that applicants would be interviewed following a projects priority session to be held later in July.

**Discussion regarding cost recovery for Public Information requests.(Rianda)**

C. Rianda requested Council concurrence to have City Attorney Savaree explore cost recovery legislation to find a way to recover costs of Public Information requests. The idea of a security deposit was discussed.

Council concurred to have the City Attorney Savaree explore this option and report back to Council.

**Consideration of adoption of Resolution in support of Governor's Transportation Plan. (Cook).**

C. Cook explained that she had received a letter and Resolution from Mr. Nevin, Chair of SamTrans and asked if Council would be interested in supporting this legislation.

Council concurred and made a slight modification to the Resolution before adoption. They concurred to have one Whereas modified to read, "WHEREAS, the citizens of Belmont have demonstrated a genuine and consistent commitment to public transportation."

**Action:** on motion by C. Warden, seconded by C. Rianda, and approved 4-0, by show of hands, with C. Wright absent, to adopt:

**Resolution No. 8785** – in support of Governor's Transportation Plan.

**ADJOURNMENT** at this time, being 10:30 P.M. this meeting was adjourned.

**Meeting Tape Recorded and Televised**

Tape No. 468

Kathy Kern

Belmont City Clerk